

# **EXHIBIT F**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

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STATE OF WASHINGTON,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	NO. 3:17-CV-05806-RJB
	)	
THE GEO GROUP, Inc.,	)	
	)	
Defendant.	)	

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VIDEOTAPED DEPOSITION UPON ORAL EXAMINATION OF JOSHUA GRICE

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APPEARANCES:

FOR THE PLAINTIFF:	MR. JAMES S. MILLS MR. LANE POLOZOLA ASSISTANT ATTORNEYS GENERAL 800 Fifth Avenue, Ste. 2000 Olympia, WA 98104-3188
FOR THE DEFENDANT:	MS. JOAN MELL III Branches Law 1019 Regents Blvd., Suite 204 Fircrest, WA 98466  MS. ASHLEY E. CALHOUN AKERMAN, LLP 1900 Sixteenth Stret Suite 1700 Denver, CO 80202
ALSO PRESENT:	MELODY SORENSEN, VIDEOGRAPHER

Thursday, September 5, 2019  
Olympia, Washington

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
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STATE OF WASHINGTON vs GEO GROUP  
 Joshua Grice, 09/05/2019

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# I N D E X

EXAMINATION	PAGE/LINE	
MS. MELL	4	23
MR. MILLS	235	5

# E X H I B I T I N D E X

EXHIBIT NO.	DESCRIPTION	PAGE/LINE	
NO. 284	Amended Notice of 30(b)(6) Deposition of Dept. of L&I; 10 pgs.	14	5
NO. 285	Copy of Chapter 49.12; 30 pgs.	16	19
NO. 286	E-mail chain dated 3/25/14; 2 pgs.	48	18
NO. 287	Administrative Policy ES.A.1; 6 pgs.	127	25
NO. 288	30(b)(6) Deposition of Pamela I. Cant; 14 pgs.	132	10
NO. 289	L&I Employment Standards Operations Manual; 82 pgs.	211	3
NO. 290	E-mail chain dated 3/25/14; 2 pgs.	225	19
NO. 291	E-mail chain dated 3/25/14; 1 pg.	228	22
NO. 292	E-mail chain dated 3/25/14; 1 pg.	230	7
NO. 293	E-mail chain dated 3/11/14; 2 pgs.	230	21

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1	EXHIBIT NO.	DESCRIPTION	PAGE/LINE
2	NO. 294	E-mail chain dated 3/11/14; 1 pg.	231 14
3	NO. 295	Westlaw Synopsis and Analysis of	216 19
4		L&I v. Lanier Brugh case; 8 pgs.	
5	NO. 296	Chapter 12 of L&I Employment	222 16
6		Standards Operations Manual;	
7		10 pgs.	
8	NO. 297	E-mail chain dated 3/11/14; 2 pgs.	212 21
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1 BE IT REMEMBERED that on Thursday, September 5,  
2 2019, at 9:39 a.m. at 7273 Linderson Way, Tumwater,  
3 Washington, before DIXIE J. CATTELL, Certified Court  
4 Reporter, appeared JOSHUA GRICE, the witness herein;

5 WHEREUPON, the following proceedings were had,  
6 to wit:

7 THE VIDEOGRAPHER: We are now on the record.  
8 This is the video-recorded 30(b)(6) deposition of Josh  
9 Grice. Today's date is September 5, 2019, and the time is  
10 now 9:39 a.m. My name is Melody Sorensen. I'm  
11 subcontracted by Sound Vision Video Production, 4821 North  
12 14th Street, Tacoma, Washington. This deposition is being  
13 held at 7273 Linderson Way Southwest, Tumwater, Washington.

14 The case is the State of Washington versus The GEO  
15 Group, Inc. Present for the plaintiff is James Mills and  
16 Lane Polozola. Present for the defendants and giving  
17 notice to this deposition is Joan Mell and Ashley Calhoun.

18 The court reporter is Dixie Cattell, who will now  
19 swear in the witness.

20 JOSHUA GRICE, having been first duly sworn,  
21 testified as follows:

22 EXAMINATION

23 BY MS. MELL:

24 Q State your name for the record.

25 A Joshua Grice.

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1 Q Mr. Grice, what's your position?

2 A I'm the Employment Standards Program Manager at the  
3 Department of Labor and Industries.

4 Q Employment Standards Program Manager?

5 A Correct.

6 Q Okay. Tell me where that is in the hierarchy at Labor and  
7 Industries.

8 A The Employment Standards Program Manager reports to the  
9 Assistant Director for Fraud Prevention and Labor  
10 Standards.

11 Q And who is that?

12 A Christopher Bowe.

13 Q Is that B-O-W-E?

14 A B-O-W-E, yes.

15 Q Okay. And his title is what, Assistant Director of. . . ?

16 A Assistant Director for Fraud Prevention and Labor  
17 Standards.

18 Q Fraud Prevention and Labor. . .

19 Is the Minimum Wage Act considered a labor standard?

20 A Yes.

21 Q Okay. So who does the Assistant Director report to?

22 A The Assistant Director for Fraud Prevention and Labor  
23 Standards reports to the Deputy Director of Labor and  
24 Industries, Elizabeth Smith.

25 Q Who does the Deputy Director report to?

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1 at issue.

2 Q (By Ms. Mell) You still get to answer.

3 MR. MILLS: You can answer.

4 **A Would you repeat the question.**

5 Q (By Ms. Mell) Yeah.

6 MS. MELL: Can you read that one back?

7 THE COURT REPORTER: Question: "But you do know  
8 that the Department only applied those laws to the GEO  
9 staff at the time and not to detainees?"

10 **A To my knowledge, the Department's enforcement would have**  
11 **been primarily related to staff at the Northwest Detention**  
12 **Center.**

13 Q (By Ms. Mell) So is it fair to say that the Department  
14 considered staff employees and detainees in a different  
15 category and has consistently over time?

16 MR. MILLS: Objection as to form.

17 **A I'm not aware that the Department drew affirmative**  
18 **conclusions about the status of detainees.**

19 Q (By Ms. Mell) Well, has it engaged in any conduct that  
20 would suggest it has authority over detainees?

21 **A I'm not aware that the Department has drawn a conclusion**  
22 **about its authority over detainees.**

23 Q So what would you call -- I don't understand your answer  
24 relative to L&I inspectors being on-site and investigating  
25 a complaint that may involve the activities of detainees as



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1     **A**   Yes, it appears that Dave did provide some analysis in  
2         response to the original inquiry.

3     Q   And Liz Smith is involved?

4     **A**   Liz did receive information about the inquiry, yes.

5     Q   But she was asked to respond to the question, correct?

6                     MR. MILLS:  Objection.  Mischaracterizes the  
7         document.  The document speaks for itself.

8                     You can answer.

9     **A**   Which exchange are you referring to?

10    Q   (By Ms. Mell)  "Liz and Lynne, is this an issue that we  
11         have jurisdiction over?"  From Tammy.

12   **A**   Yes.

13    Q   Okay.  So Lynne's asked to give Tammy the information --

14   **A**   Yes.

15    Q   -- do we have jurisdiction?

16   **A**   Yes, Tammy directed that request at Liz and Lynne.

17    Q   And then presumably Liz got Dave involved, or Lynne did,  
18         right?

19   **A**   Yes.  At the time Lynne Buchanan was the Employment  
20         Standards Program Manager, David Johnson was the wage and  
21         hour technical specialist, who would have been relied upon  
22         to provide technical guidance related to questions such as  
23         these.

24    Q   And he says no jurisdiction?

25   **A**   That was his conclusion at the time, yes.

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1 Q I don't know if I already asked it. Who's Lynne Buchanan?

2 **A At this time Lynne Buchanan was the Program Manager for**  
3 **Employment Standards.**

4 Q So she would have been in Liz Smith's -- I'm thinking  
5 aloud. I'm sorry.

6 So who has that position now?

7 **A I currently hold that position.**

8 Q So in 2014 what was Dave's job then?

9 **A I believe at this time Dave was the wage and hour technical**  
10 **specialist.**

11 Q So then he bumped -- well, do you know when he bumped up to  
12 Lynne Buchanan's position, or what is now your position?

13 **A I'm not certain of the exact date, but it would have been**  
14 **most likely after this date in this e-mail exchange.**

15 Q Okay. And is Lynne still here?

16 **A Lynne still works for the Department but has a different**  
17 **role.**

18 Q What's her job now?

19 **A She works for the office of Human Resources at L&I.**

20 Q Okay. And it says: "Hi, Holly, here's another e-mail.  
21 Tisa has a lot of information on Lanier Brugh." Do you  
22 know why that is?

23 **A I do not know what specific information Lynne was**  
24 **transmitting to Holly Scott.**

25 Q But based upon this e-mail, it's apparent that at the time

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C E R T I F I C A T E

I, DIXIE J. CATTELL, the undersigned Registered Professional Reporter and Washington Certified Court Reporter, do hereby certify:

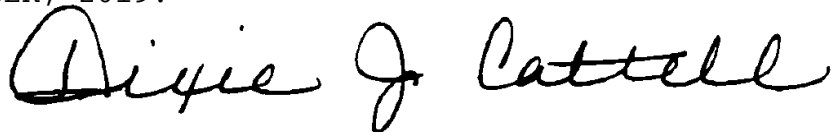
That the foregoing deposition of JOSHUA GRICE was taken before me and completed on the 5th day of September, 2019, and thereafter transcribed by me by means of computer-aided transcription; that the deposition is a full, true and complete transcript of the testimony of said witness;

That the witness, before examination, was, by me, duly sworn to testify the truth, the whole truth, and nothing but the truth, and that the witness reserved signature;

That I am not a relative, employee, attorney or counsel of any party to this action or relative or employee of such attorney or counsel, and I am not financially interested in the said action or the outcome thereof;

That I am herewith securely sealing the deposition of JOSHUA GRICE and promptly serving the same upon MS. JOAN MELL.

IN WITNESS HEREOF, I have hereunto set my hand this 9TH day of SEPTEMBER, 2019.



Dixie J. Cattell, RPR, CCR  
NCRA Registered Professional Reporter  
Washington Certified Court Reporter CSR#2346